

REMARKS

This response is intended as a full and complete response to the final Office Action mailed October 19, 2005. In the Office Action, the Examiner notes that claims 1, 4-26 and 30-31 are pending and rejected. By this response, claim 5 has been amended.

In view of both the amendments presented above and the following discussion, Applicants submit that none of the claims now pending in the application are obvious under the provisions of 35 U.S.C. §103.

It is to be understood that Applicants, by amending the claims, do not acquiesce to the Examiner's characterizations of the art of record or to Applicants' subject matter recited in the pending claims. Further, Applicants are not acquiescing to the Examiner's statements as to the applicability of the art of record to the pending claims by filing the instant responsive amendments.

Objections

The Examiner has objected to claim 5 as dependent on canceled claim 2. Applicants have amended claim 5 to be dependent upon claim 1. As such, Applicants respectfully submit that the Examiner's objection is moot and should be withdrawn.

Rejections

35 U.S.C. §103

Claims 1, and 4-26

The Examiner has rejected claims 1-28 and 31 under 35 U.S.C. §103(a) as being anticipated by Sampath et al. (U.S. Patent 6,279,029, hereinafter "Sampath") in view of Ellis (U.S. Patent Application Publication US 2004/0226042 – effective filing date March 4, 1999, hereinafter "Ellis"). Applicants respectfully traverse the rejection. In addition, claims 2-3 and 27-28 have been canceled, and Examiner rejected claim 31 with different art.

Applicants' independent claim 1 recites (independent claims 24, 25 recite similar limitations):

A method for providing user interfaces at a terminal for a plurality of video-on-demand services offered by provider equipment of an information distribution system, comprising:

providing a first application to support a first user interface for a first service associated with an interactive program guide;

providing a second application to support a second user interface for a second service associated with video-on-demand (VOD); and

maintaining first and second message queues for the first and second applications, respectively; and

coordinating passing of control of the terminal between the first and second applications via a control mechanism, wherein the control mechanism passes control to the first and second applications via messages provided to the first and second message queues, respectively. (emphasis added).

Examiner asserts that Sampat in col. 19, lines 44-67, col. 20, lines 26-29, and col. 24 lines 35 teaches of control mechanism passes control to the first and second applications via messages provided to the first and second message queues, respectively. Applicants respectfully disagree. Sampat merely discloses that a message control manager maintains the queue of buffers. The information stored in the buffers is network events. This allows for the transmission of data packets. This information is used for controlling user sockets by the receive buffer manager 2216 using function calls for assisting the DLM 2106 to orchestrate the flow of one or more channels over one or more transport media, where each channel comprises one or more types of media stream. Sampat does not disclose teach or suggest messages provided to the message queues for passing control between the IPG and VOD.

Nowhere in the Sampath reference is there any disclosure, teaching, or even suggestion, of "the control mechanism passes control to the first and second applications via messages provided to the first and second message queues, respectively." Since the Sampath reference is completely silent with respect to the control mechanism passing control via messages provided to the queues as claimed, the Sampath reference fails to teach Applicants' invention.

Ellis fails to bridge the substantial gap between the Sampath reference and Applicants' invention. Ellis merely discloses directing simultaneous display of a selected television program and a program guide display. In particular, Ellis discloses, "Video-on-demand program guide display 70 may be invoked using any suitable

technique such as by using a dedicated key on remote control unit 50 such as play key 58, VOD browse key 51 (FIG. 5), or using an on screen button (not shown).

Alternatively, guide 70 may be invoked by first entering a "normal browse mode" (i.e., invoke a program guide display showing regularly broadcast programs) and then select a designated video-on-demand channel using the up and down cursor keys 54a. and 54b or numeric keys 60." (See paragraph 55).

Ellis fails to disclose, teach or suggest Applicants' claimed "wherein the control mechanism passes control to the first and second applications via messages provided to the first and second message queues, respectively."

As such, Applicants submit that, for at least the reasons stated above, independent claims 1, 24, and 25 are not obvious and fully satisfy the requirements of 35 U.S.C. §103 and are patentable thereunder. Furthermore, claims 4-23, 26 and 31 depend, either directly or indirectly, from independent claims 1, 24, 25 and 30 and recite additional limitations thereof. As such and at least for the same reasons as discussed above, Applicants submit that these dependent claims are also not obvious and fully satisfy the requirements of 35 U.S.C. §103 and are patentable thereunder. Therefore, Applicants respectfully request that the Examiner's rejection be withdrawn.

Claims 30-31

The Examiner has rejected claims 30-31 under 35 U.S.C. §103(a) as being unpatentable over Filletto et al. (U.S. Patent 6,300,951, hereinafter "Filletto") in view of Ellis. Applicants respectfully traverse the rejection.

Applicants' independent claim 30 recites:

A terminal configurable to provide user interfaces for a plurality of video-on-demand services offered by an information distribution system, comprising:
a first state indicative of a first application executing to support a first user interface for an interactive program guide;
a second state indicative of a second application executing to support a second user interface for video-on-demand content;
a third state indicative of the first and second applications being idle; and
means for transitioning between the first, second, and third states.
(emphasis added).

35 U.S.C. 112 paragraph 6 states: "An element in a claim for a combination may be expressed as a means or step for performing a specified function without the recital of structure, material, or acts in support thereof, and such claim shall be construed to cover the corresponding structure, material, or acts described in the specification and equivalents thereof." Claim 30 explicitly claims a means for transitioning. As described in the specification of the application, this limitation requires using messages stored in the queues connected with the application in order to allow for this transitioning between states.

Filletto discloses that open windows may be minimized and widows may be toggled. However, Filletto does not specifically disclose that the queues are used with polling messages for the transitioning of the applications. Therefore, Filletto does not disclose, teach or suggest "means for transitioning between the first, second, and third states." Thus, the Filletto reference fails to teach each and every element of the claimed invention, as arranged in the claims.

The Ellis reference fails to bridge the substantial gap between the Filletto reference and Applicants' claimed invention. As discussed above, Ellis merely discloses directing simultaneous display of a selected television program and a program guide display. In particular, Ellis discloses, "Video-on-demand program guide display 70 may be invoked using any suitable technique such as by using a dedicated key on remote control unit 50 such as play key 58, VOD browse key 51 (FIG. 5), or using an on screen button (not shown). Alternatively, guide 70 may be invoked by first entering a "normal browse mode" (i.e., invoke a program guide display showing regularly broadcast programs) and then select a designated video-on-demand channel using the up and down cursor keys 54a. and 54b or numeric keys 60." (See paragraph 55). Ellis fails to disclose, teach or suggest Applicants' claimed "means for transitioning between the first, second, and third states."

For at least the reasons discussed above, the Filletto and Ellis references alone or in combination fail to teach or suggest Applicants' invention as a whole. As such, Applicants submit that independent claim 30 is not obvious and fully satisfies the requirements of 35 U.S.C. §103 and is patentable thereunder. Therefore, Applicants respectfully request that the Examiner's rejection be withdrawn. Furthermore, claim 31

depend directly from independent claim 30 and recites additional limitations thereof. As such and at least for the same reasons as discussed above, Applicants submit that these dependent claims are also not obvious and fully satisfy the requirements of 35 U.S.C. §103 and are patentable thereunder. Therefore, Applicants respectfully request that the Examiner's rejection be withdrawn.

SECONDARY REFERENCES

The secondary references made of record are noted. However, it is believed that the secondary references are no more pertinent to Applicants' disclosure than the primary references cited in the Office Action. Therefore, Applicants believe that a detailed discussion of the secondary references is not necessary for a full and complete response to this Office Action.

CONCLUSION

Thus, Applicants submit that none of the claims presently in the application are obvious under the provisions of 35 U.S.C. §103. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Eamon J. Wall or Jasper Kwok at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

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